

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

COLONIAL LIFE & ACCIDENT INSURANCE COMPANY, **PLAINTIFF,**
VS. **CIVIL ACTION NO.2:04CV258-WAP-JAD**
JAMES COPOUS, **DEFENDANT.**

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated April 8, 2005, was on that date duly served by first class mail upon counsel for plaintiff and defendant James Copous; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore,

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated April 8th, 2005, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. That a default judgment be entered against defendant Copous on the claims of the plaintiff and that policy number 3603276620 is hereby rescinded and cancelled and plaintiff has no liability to defendant under said policy.

THIS the 18th day of May, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE